

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
STIP No. R-2603

I. GENERAL INFORMATION

- a. Consultation Phase: Construction Consultation
- b. Project Description: Wilkesboro, Multi-lanes East of NC 18 to SR 1966 (Airport Road). Widen to Multi-lanes in Wilkes County
- c. WBS No.: WBS No. 36001.1.2
Federal Project: STP-0268(15)
- d. Document Type: Environmental Assessment 1/2011
FONSI 2/2012

II. CONCLUSIONS

The above environmental document has been reevaluated as required by 23 CFR 771. It was determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted below in Section III. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Additional information will be written in *Italics* for clarification. Therefore, the original Administration Action remains valid.

III. CHANGES IN PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

There are no changes in potential environmental effects from those presented in the FONSI. The attached memorandum dated December 11, 2014 addresses water resources and the protected species potentially impacted by the project and updates the referenced FONSI.

The Northern Long Eared Bat (NLEB) memorandum dated January 6, 2015 recognizes the potential foraging and roosting habitat within the study area. The study concludes the proposed *project is not likely to jeopardize the continued existence of the NLEB.*

IV. LIST OF ENVIRONMENTAL COMMITMENTS

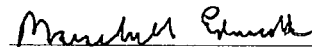
NCDOT will implement all practical measures and procedures to minimize and avoid environmental impacts. See the attached Project Commitments, Green Sheet for the environmental commitments developed during the project.

V. COORDINATION

PDEA personnel have discussed current project proposals with others as follows:

Roadway Design Engineer:	Tatia White	Date	12/15/14
Structures Design Engineer	Bruce Klappenbach	Date	12/01/14
Hydraulics Engineer	William Zerman	Date	11/18/14
Environmental Specialist	Erin Cheely	Date	12/11/14
Biological Surveys Consultant	Heather Wallace	Date	01/06/15
Program Development	Lee Ann Billington	Date	12/15/14

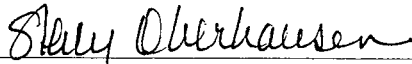
VI. NCDOT CONCURRENCE



Marshall Edwards
NCDOT-PDEA-Western Region

1-28-15

Date

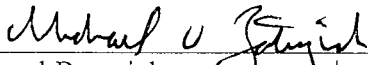


Stacy Oberhausen, PE
NCDOT-PDEA-Western Region

Jan 28, 2015

Date

VII. FHWA CONCURRENCE



Michael Batuzich
FHWA Preconstruction & Environmental Specialists

1-28-15

Date

Wilkes County
NC 268 (Elkin Highway)
Widen to Multi-Lanes East of NC 18 to SR 1966 (Airport Road)
Federal Project No. STP-0268(15)
WBS No. 36001.1.2
STIP PROJECT No. R-2603

PROJECT COMMITMENTS

Current status, changes, or additions to the Project Commitments as shown in the environmental document for the project are printed in *italics*.

Roadway Design Unit, Hydraulic Unit and Division 11:

Design Standards in Sensitive Watersheds will be adhered to for sediment and erosion control procedures.

Action:

~~NCDOT will coordinate with NCDWQ prior to permitting to determine if implementing Design Standards in Sensitive Watersheds is applicable to this project given the types and classifications of the water resources present within the project area.~~

The Roadway Design Unit will coordinate with the North Carolina Wildlife Resources Commission to determine the status of the potential WRC public access project at the NC 268 crossing of Mulberry Creek.

Action:

North Carolina Wildlife Resources Commission determined in June 2012 it is not feasible to establish public access at the NC 268 crossing of Mulberry Creek.

Hydraulic Unit

The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), the delegated state agency for administering FEMA's National Flood Insurance Program, to determine the status of the project with regard to applicability of NCDOT'S Memorandum of Agreement with FMP (dated 6/5/08), or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

Division 11

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

~~The NC Wildlife Resources Commission has requested an in-water work moratorium from May 1 to July 15 for Mulberry Creek and its unnamed tributary to prevent off site sedimentation from impacting smallmouth bass fish eggs and fry downstream. NCDOT will determine if it is feasible to adhere to this moratorium during construction.~~

Action:

NCDOT has determined it is not feasible to adhere to this moratorium for this project.

Structures Management Unit

Bicycle safe bridge railing will be provided on the NC 268 eastbound bridge over Mulberry Creek.

Action:

A Bicycle safe rail is included on the proposed westbound bridge and will be added to the existing eastbound bridge.

Roadway Design Unit, Program Development Branch

The construction of sidewalks in the proposed project will be dependent upon a cost-sharing and maintenance agreement between NCDOT and the Town of North Wilkesboro.

Action:

Municipal agreement will be completed before construction.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

December 11, 2014

MEMORANDUM TO: Marshall Edwards, Project Planning Engineer
Project Development Section

FROM: Erin Cheely, Environmental Specialist
Natural Environment Section

SUBJECT: Water resources and protected species review for a Federal Highway Administration (FHWA) Construction Consultation for the widening of and improvements to NC 268 from NC 18 to SR 1966 (Airport Road) in Wilkes County. Federal Project No. STP-0268(15), WBS No. 36001.1.2, Division 11, TIP No. R-2603.

REFERENCE: Environmental Assessment (EA), January 2011
Finding of No Significant Impact (FONSI), February 2012
Right of Way Consultation, December 2012

Water classifications within the project area have not changed since the 2011 EA and 2012 FONSI. Long Creek is still listed on the 2012 Final and 2014 Draft 303(d) list of impaired waters for "Ecological/biological Integrity Benthos".

As of January 14, 2014, the USFWS lists one federally protected species for Wilkes County, the bog turtle. The biological conclusion for this species remains "No Effect" due to lack of suitable habitat.

A US Fish and Wildlife Service proposal for listing the Northern Long-eared Bat (*Myotis septentrionalis*) as an Endangered species was published in the Federal Register in October 2013. The listing will become effective on or before April, 2015. Furthermore, this species is included in USFWS's current list of protected species for Wilkes County. NCDOT is working closely with the USFWS to understand how this proposed listing may impact NCDOT projects. NCDOT will continue to coordinate appropriately with USFWS to determine if this project will incur potential effects to the Northern long-eared bat, and how to address these potential effects, if necessary.

GREENSHEET COMMITMENTS

The following clarification can be removed from the Right of Way Consultation greensheet, as Design Standards will be adhered to for sediment and erosion control procedures (this issue has been resolved):

~~*NCDOT will coordinate with NCDWQ prior to permitting to determine if implementing Design Standards in Sensitive Watersheds is applicable to this project given the types and classifications of the water resources present within the project area.*~~

The condition regarding the smallmouth moratorium requested by NC Wildlife Resources Commission (NCWRC) can be clarified as follows:

NCDOT has determined it is not feasible to adhere to this moratorium for this project.

cc: R-2603 file



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

January 6, 2015

TO: Marshall Edwards, Project Development Engineer

CC: Erin Cheely, Environmental Specialist

FROM: Heather Wallace, Environmental Program Consultant

SUBJECT: Northern long-eared bat (*Myotis septentrionalis*) survey for the US 268 widening project (R-2603) in Wilkes County.

A U.S. Fish and Wildlife Service (USFWS) proposal for listing the Northern long-eared bat (*Myotis septentrionalis*; NLEB) as an Endangered species was published in the Federal Register in October 2013. The listing may become effective as soon as April 2015. As of December 23, 2014, this species is listed by USFWS as "current" in Wilkes County. (http://www.fws.gov/raleigh/species/cntylist/nc_counties.html).

Surveys for NLEB were conducted per the USFWS (2014) Northern Long-eared Bat Interim Internal Conference and Planning Guidance by Mulkey in July and Copperhead in August and September 2014 (see attached survey reports). Four different types of surveys were completed:

1. Bridge survey
2. Abandoned building survey
3. Mine survey
4. Acoustic survey

One bridge was examined on August 25 by Copperhead. No evidence of bat use was detected. No other bridges or culverts are located within the project study area. No abandoned buildings were located within the project study area.

Using USGS mine shapefiles, a search was conducted for a single mine within the project study area. Despite a thorough search, the mine could not be located. The suspected location is currently within a residential apartment complex.

Acoustic surveys were conducted by Copperhead on August 4th and 5th at three locations. Two USFWS approved software programs, Ecoclass and Bat Call ID (BCID), were used to analyze the data from the surveys. Ecoclass and BCID identified 1,738 and 982 bat calls, respectively. Calls that were questionable as to species identification were

manually vetted. No NLEB calls were identified through software analysis or through manual vetting by biologists experienced in bat call identification. Therefore, per USFWS (2014) Northern Long-eared Bat Interim Internal Conference and Planning Guidance, no further surveys were conducted.

According to the North Carolina Natural Heritage Program (NHP) Biotics Database, most recently updated in October 2014, NLEB have been documented in Wilkes County. Potential summer roosting and foraging habitat in the form of forested areas interspersed with fields, and water sources does exist within the project area.

The closest known occurrence of NLEB is in Wilkes County (NHP 2001 mist net record), approximately 14 miles northeast of the project site. The next closest known occurrence is in Watauga County (USFWS 2006 mine survey record), approximately 21 miles west of the project site.

Based on the results of surveys conducted in 2014, proximity to known occurrences of NLEB, potential foraging and roosting habitat within the study area, and using currently available guidance from USFWS, if the NLEB becomes listed as a protected species under the Endangered Species Act, the proposed project will have a biological conclusion of *May Affect-Not Likely to Adversely Affect* for NLEB. Prior to being afforded protection under the Endangered Species Act, we conclude that the proposed project is *not likely to jeopardize the continued existence* of the NLEB. If you need any additional information, please contact me at (919) 707-6149.